

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS

No. 6:20-cv-00582
consolidated with No. 6:20-cv-00583

Johnny Lee Wickware,
Plaintiff,

v.

Sheriff Larry Smith et al.,
Defendants.


ORDER

On October 30, 2020, plaintiff Johnny Lee Wickware, proceeding pro se and *in forma pauperis*, filed this civil-rights lawsuit (Doc. 1) pursuant to 42 U.S.C. § 1983. The case was referred to United States Magistrate Judge K. Nicole Mitchell pursuant to 28 U.S.C. § 636(b). Doc. 3.

On March 22, 2021, the magistrate judge instructed plaintiff to file an amended complaint within thirty days of receipt of the order. Doc. 22. Plaintiff failed to do so. On September 17, 2021, the magistrate judge entered a report recommending that plaintiff's case be dismissed without prejudice for want of prosecution and failure to obey an order. Doc. 24. No objections were filed.

When no party objects to the magistrate judge's report and recommendation, the court reviews it only for clear error. *See Douglass v. United Servs. Auto. Ass'n*, 79 F.3d 1415, 1420 (5th Cir. 1996). Having reviewed the magistrate judge's report and being satisfied that the report contains no clear error, the court accepts the findings and conclusions of the court. Accordingly, the complaint is dismissed without prejudice for failure to prosecute and for failure to comply with a court order.

So ordered by the court on November 8, 2021.



J. CAMPBELL BARKER
United States District Judge